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Law Offices of
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&
ASSOCIATES**CONFIDENTIAL FAX****To:** United States Patent Office**From:** SARA M. POTTHAST

Mail Stop RCE


Commissioner for Patents

Fax: 571-273-8300**Pages:** -9-**Date:** 06/23/2006**Re:** Appln. No. 10/631,118 RCE**CC:** Attn: Reginald Alexander Unit1761☒ **Urgent**☐ **For Review**☐ **Please Comment**☒ **Please Reply**☐ **Please Recycle****• Comments:**

Please acknowledge receipt of the following documents being transmitted herewith:


Transmittal Letter (1-page), Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (3 pages), Request for Continued Examination (RCE) Transmittal (1-page) and copy (1 page) and Certificate of Transmission (1-page).

CONFIDENTIALITY NOTICE: THIS FACSIMILE COMMUNICATION IS PROTECTED BY LAW AGAINST IMPROPER INTERCEPTION, USE OR DISSEMINATION. IF YOU ARE NOT THE INDICATED RECIPIENT, BUT HAVE RECEIVED THIS COMMUNICATION THROUGH NO FAULT OF YOUR OWN, WE APOLOGIZE FOR ANY INCONVENIENCE. IN SUCH EVENT, IT IS REQUESTED THAT YOU IMMEDIATELY NOTIFY OUR OFFICE SO THAT ARRANGEMENTS MAY BE MADE FOR RETRANSMISSION AND RETURN OR DESTRUCTION OF THE COMMUNICATION AT NO COST TO YOU.

TRANSMITTAL LETTER (General - Patent Pending)				JUN 23 2006		Docket No. FET-19	
In Re Application Of: Michael W. Lassota et al.							
Application No. 10/631,118	Filing Date 7/31/03	Examiner Reginald L. Alexander	Customer No. 28,439	Group Art Unit 1761	Confirmation No. 3943		
Title: Food Processing Apparatus with Auto-Directive Controller							
<u>COMMISSIONER FOR PATENTS:</u>							
Transmitted herewith is: (1) Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (2) Request for Continued Examination (RCE) Transmittal and (3) copy and (4) Certificate of Transmission . The charge authorization below is for payment of the RCE filing fee. Authorization for the Petition filing fee is contained in the Petition in the above identified application. <input type="checkbox"/> No additional fee is required. <input type="checkbox"/> A check in the amount of _____ is attached. <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. _____ as described below. <input checked="" type="checkbox"/> Charge the amount of \$395.00 <input checked="" type="checkbox"/> Credit any overpayment. <input checked="" type="checkbox"/> Charge any additional fee required. <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.							
 Signature James W. Potthast, Reg. No. 26,792 Potthast & Associates 10606 Deerpath road Woodstock, Illinois 60098 Voice: 815-2334-0830 Fax: 815-334-0820				Dated: June 23, 2006			
cc:				<div style="font-size: small;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</div> <div style="text-align: center; margin-top: 10px;">(Date)</div> <div style="text-align: center; margin-top: 10px;">_____ Signature of Person Mailing Correspondence</div> <div style="text-align: center; margin-top: 10px;">_____ Typed or Printed Name of Person Mailing Correspondence</div>			

Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)					Docket No. FET-19	
In Re Application Of: Michael W. Lassota et al.						
Application No. 10/631,118	Filing Date 7/31/2003	Examiner Reginald L. Alexander	Customer No. 28,439	Group Art Unit 1761	Confirmation No. 3943	
Invention: "Food Processing Apparatus with Auto-Directive Controller "						
RECEIVED CENTRAL FAX CENTER JUN 23 2006						
<u>Attention: Office of Petitions</u> <u>Mail Stop Petition</u> <u>COMMISSIONER FOR PATENTS</u> <u>P.O. Box 1450</u> <u>Alexandria, VA 22313-1450</u>						
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.						
The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.						
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION						
NOTE: A grantable petition requires the following items:						
(1) Petition fee;						
(2) Reply and/or issue fee;						
(3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and						
(4) Statement that the entire delay was unintentional.						
1. <input checked="" type="checkbox"/> A proposed reply to the above-identified Office Action:						
<input checked="" type="checkbox"/> is enclosed. <input type="checkbox"/> was filed on						
The proposed reply is in the form of: <u>Request for Continued Examination</u>						
2. <input type="checkbox"/> The issue fee:						
<input type="checkbox"/> is enclosed. <input type="checkbox"/> was paid on						
06/26/2006 TL0111 00000032 162370 10631118 01.FC:2453 750.00 DA						
3. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27						
4. <input checked="" type="checkbox"/> The abandoned application was a:						
<input type="checkbox"/> design application. <input checked="" type="checkbox"/> utility application. <input type="checkbox"/> plant application.						
5. <input type="checkbox"/> A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.						
6. <input checked="" type="checkbox"/> Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.						

Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)				Docket No. FET-19	
In Re Application Of: Michael W. Lassota et al.					
Application No. 10/631,118	Filing Date 7/31/2003	Examiner Reginald L. Alexander	Customer No. 28,439	Group Art Unit 1761	Confirmation No. 3943
Invention: "Food Processing Apparatus with Auto-Directive Controller"					
Calculation and Payment of Fees					
Enclosed are the following fees:					
7. <input checked="" type="checkbox"/> Petition fee under 37 CFR 1.17(m) in the amount of:				\$750.00	
8. <input type="checkbox"/> Fee for reply in the amount of:					
9. <input type="checkbox"/> Issue fee in the amount of:					
10. <input type="checkbox"/> Continuing application filing fee in the amount of:					
11. <input type="checkbox"/> Terminal disclaimer fee in the amount of:					
12. <input type="checkbox"/>					
Total fees enclosed:				\$750.00	
The fee of \$750 is to be paid as follows:					
<input type="checkbox"/> A check in the amount of the fee is enclosed.					
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 16-2370					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					

Petition For Revival Of An Application For Patent Abandoned Unintentionally Under 37 CFR 1.137(b) (Small Entity)				Docket No. FET-19	
In Re Application Of: Michael W. Lassota et al.					
Application No. 10/631,118	Filing Date 7/31/2003	Examiner Reginald L. Alexander	Customer No. 28,439	Group Art Unit 1761	Confirmation No. 3943
Invention: "Food Processing Apparatus with Auto-Directive Controller"					
<p style="text-align: center;">Statement</p> <p>The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]</p> <p style="text-align: center;">WARNING:</p> <p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioner/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <div style="display: flex; justify-content: space-between;"><div><p>James W. Potthast Reg. No. 26,792 Cust. No. 28,439 Potthast & Associates 10606 Deerpath Road Woodstock, IL 60098 Voice: 815-334-0830 Fax: 815-334-0820</p></div><div><p>Dated: June 23, 2006</p></div></div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;"><p>I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Mail Stop Petton, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on</p><p style="text-align: center;">(Date)</p><p style="text-align: center;">_____ Signature of Person Mailing Correspondence</p><p style="text-align: center;">_____ Typed or Printed Name of Person Mailing Correspondence</p></div> <div>cc:</div>					